

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ELTON HOUSTON,

Plaintiff,

v.

Case No. 2:07-cv-63
HON. R. ALLAN EDGAR

GERALD RILEY, et al.,

Defendants.

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**OPINION AND ORDER
APPROVING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Docket #53) is approved and adopted as the opinion of the Court.
2. Defendants' motion for summary judgment (Docket #17) is DENIED.

Dated: 9/26/08

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE